



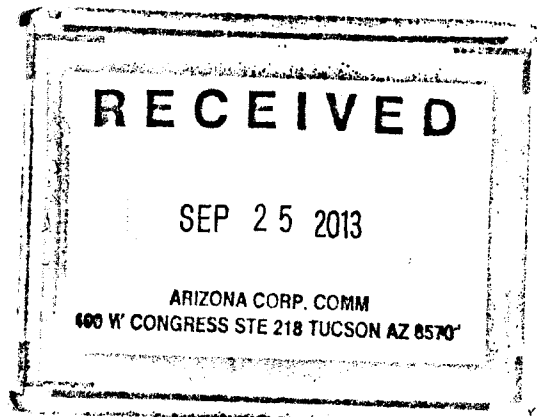
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## BEFORE THE ARIZONA CORPORATION COMMISSION

DANIEL SINGER

Docket Number: E-01933A-12-0400

Complainant,

vs.

COMPLAINANT'S REPLY RE: 2<sup>nd</sup>  
 MOTION TO CONTINUE HEARING  
 Arizona Corporation Commission

TUCSON ELECTRIC POWER COMPANY,

DOCKETED

Respondent.

SEP 30 2013

DOCKETED BY

The Complainant, through counsel, issues his reply in support of his Motion to Continue the October 22, 2013 hearing.

T.E.P. responds that it does not object to the continuance, but requests an order that if an additional continuance is requested by Complainant, the court should deny the request, dismiss the complaint, or require Complainant to pay the disputed amount pending resolution by the A.C.C.

Notwithstanding the factual and legal issues which give rise to the complaint, Complainant respectfully contends it would not be appropriate to sanction him in the manner envisioned by T.E.P. should his cancer and related treatment intensify and cause further delay. Further delay resulting from Complainant's cancer is not anticipated, but one never knows.

Counsel has previously certified, and again certifies, that this motion is not made for purposes of unreasonable delay. Also as previously stated in the motion to continue, Complainant also wants to have this matter resolved as it weighs heavily on him during a period of ill-health, but he cannot participate as needed without compromising his health.

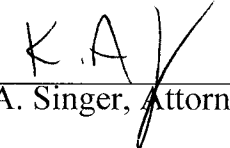
T.E.P.s request that Complainant be sanctioned if Complainant is required to ask for

1 additional time to address his ill-health is rather cold hearted and is otherwise untimely in that it asks  
2 for a ruling on an issue that does not yet exist, and hopefully will not happen. Moreover, T.E.P.'s  
3 request that the Complainant be required to pay the several thousand dollars in dispute should his  
4 ill-health continue to delay this matter is unfair. It is a far greater burden to force the Complainant  
5 to pay the disputed amount pending resolution than for T.E.P. to await adjudication to either receive  
6 payment or correct its records to reflect a zero balance.

7 WHEREFORE, Complainant requests the October 22, 2013 hearing be continued and the  
8 remaining relief requested by T.E.P. be denied or deferred.

9  
10 Dated this 24 day of September, 2013

11 **Law Office of Keith A. Singer, P.L.L.C.**

12   
13 \_\_\_\_\_  
Keith A. Singer, Attorney for Petitioner

14 Original hereof hand-delivered this  
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